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PTO/SB/21 (09-04) Approved for use through 07/31/2006. OMB 0651-0031 U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number **Application Number** 09/981.635 SMITTAL Filing Date October 17, 2001 First Named Inventor **FORM** David Thompson Art Unit 2143 **Examiner Name** Asghar H. Bilgrami (to be used for all correspondence after initial filing) Attorney Docket Number BRDC:039 (BYTE:039) Total Number of Pages in This Submission **ENCLOSURES** (Check all that apply) After Allowance Communication to TC Fee Transmittal Form Drawing(s) Appeal Communication to Board Licensing-related Papers Fee Attached of Appeals and Interferences Appeal Communication to TC ✓ Petition Amendment/Reply (Appeal Notice, Brief, Reply Brief) Petition to Convert to a Proprietary Information After Final Provisional Application Power of Attorney, Revocation Status Letter Affidavits/declaration(s) Change of Correspondence Address Other Enclosure(s) (please Identify **Terminal Disclaimer** Extension of Time Request below): Request for Refund **Express Abandonment Request** Return Postcard CD, Number of CD(s) Information Disclosure Statement Landscape Table on CD Certified Copy of Priority Remarks Document(s) Reply to Missing Parts/ Incomplete Application Reply to Missing Parts under 37 CFR 1.52 or 1.53

Printed name H. Dale Langley, Jr. Reg. No. 35,927 CERTIFICATE OF TRANSMISSION/MAILING I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below. Signature H. Dale Langley, Jr. Date August 7, 2006

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

The Law Firm of H. Dale Langley, Jr., P. C.

Firm Name

Signature

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.



Appl. No.

09/981,635

Confirmation No. 7014

Applicant

David Thompson and

Dennis Parker

Filed

October 17, 2001

TC/A.U.

2143

Examiner

BILGRAMI, Asghar H.

Docket No.

BRDC:039 (BYTE:039)

Customer No.

29395

CERTIFICATE OF MAILING BY "FIRST CLASS MAIL"

Date of Deposit August 7, 2006

I hereby certify that this paper and any attachments are being deposited with the United States Postal Service in an envelope, postage paid, on the date indicated above, and is addressed to the Commissioner for Patents, Mail Stop – Amendment, P.O. Box 1450, Alexandria, VA 22313-1450.

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RESPONSE TO NOTICE OF NON-COMPLIANT AMENDMENT

Dear Sir:

In reply to the Notice mailed on July 5, 2006, please accept the attached listing of claims in substitution of the prior submission of the incorrect listing.

CONCLUSION

Should this response be considered inadequate or non-responsive for any reason, or should the Examiner have any questions, comments or suggestions that would expedite the prosecution of the present case to allowance, Applicants' undersigned representative earnestly requests a telephone conference at (512) 477-3830.

Respectfully submitted,

Date:

August 7, 2006

H. Dale Langley, Jr.

Reg. No. 35,927

The Law Firm of H. Dale Langley, Jr. 610 West Lynn

Austin, Texas 78703

Telephone: (512) 477-3830 Facsimile: (512) 480-0858

E-Mail: dlangley@iptechlaw.com